

Rev. 11/97

CRIMINAL COMPLAINT

ORIGINAL

UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. JOSE MORENO-GONZALEZ, aka Jose Antonio Moreno	DOCKET NO. MAGISTRATE'S CASE NO. 98- 98-1359M

Complaint for violation of Title 8, United States Code § 1326

NAME OF MAGISTRATE JUDGE VIRGINIA A. PHILLIPS	UNITED STATES MAGISTRATE JUDGE	LOCATION Los Angeles, CA
DATE OF OFFENSE June 1, 1998	PLACE OF OFFENSE Los Angeles County	ADDRESS OF ACCUSED (IF KNOWN)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about June 1, 1998, defendant JOSE MORENO-GONZALEZ, aka Jose Antonio Moreno, an alien, was found in Los Angeles County, within the Central District of California, after having been officially deported from the United States on or about April 21, 1994, without having obtained permission from the Attorney General of the United States to reapply for admission to the United States after such deportation.

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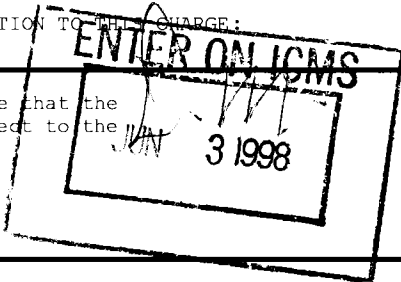
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BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THE CHARGE:

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.



SIGNATURE OF COMPLAINANT

KEITH C. RYAN

Keith C. Ryan

OFFICIAL TITLE

Special Agent - Immigration and Naturalization Service (INS)

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE(1)

Cala M. Wolke

DATE

June 2, 1998

1) See Federal Rules of Criminal Procedure rules 3 and 54.

CCW:bat

REC: DETENTION (Warrant)

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A F F I D A V I T

I, Keith C. Ryan, being duly sworn, hereby depose and say:

1. I am a Special Agent with the United States Department of Justice, Immigration and Naturalization Service ("INS"), and have been so employed since October, 1997. Prior to being a Special Agent, I was employed as a Border Patrol Agent beginning in August, 1996. I am currently assigned to the Los Angeles District office.

2. This affidavit is made in support of a complaint against and an arrest warrant for JOSE MORENO-GONZALEZ ("MORENO-GONZALEZ"), aka Jose Antonio Moreno, for violation of Title 8, United States Code, Section 1326: Alien Found in the United States Following Deportation.

3. On June 2, 1998, I reviewed MORENO-GONZALEZ's INS file number: (A72 058 640), which revealed the following:

a. MORENO-GONZALEZ, an alien, was officially deported from the United States on April 21, 1994.

b. This deportation is documented by an executed Warrant of Deportation that is contained in the file.

c. The executed Warrant of Deportation shows that MORENO-GONZALEZ was deported to Mexico on that occasion.

d. MORENO-GONZALEZ's INS file does not contain a record of him ever applying for, or receiving permission from,

the Attorney General of the United States to legally re-enter the United States. Based on my training and experience, I know that such documentation is required to re-enter the United States legally after deportation, and that if such documentation existed, it would be in the INS file.

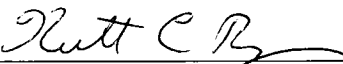
4. On June 2, 1998, I reviewed MORENO-GONZALEZ's criminal history record as set forth in the California Criminal Identification Index. The record reflects that MORENO-GONZALEZ has been convicted of the following felony:

a. Voluntary Manslaughter, in violation of California Penal Code Section 192(a), on or about June 19, 1991 (Los Angeles Superior Court, Case No. PA001712), for which certified conviction documents contained in MORENO-GONZALEZ's A file indicate the imposition of a six year prison sentence with the addition of one year incarceration for the enhancement under California Penal Code Section 12022(a) for being armed with a firearm;

5. On June 1, 1998, I reviewed computerized Department of Motor Vehicles records, which revealed that on December 26, 1995, someone using the name Jose Antonio Moreno applied for California Driver's License Number C1685560 at the Department of Motor Vehicles facility in Arleta, California. Jose Antonio Moreno is MORENO-GONZALEZ's primary name in the California Criminal

Identification Index and the birth date provided to DMV is the same as the birth date contained in MORENO-GONZALEZ's INS file and on his California Criminal Identification Index. I compared the photograph taken on December 26, 1995 for CDL C1685560 to the photograph taken on April 18, 1994 that is contained within MORENO-GONZALEZ's INS File and determined them to be of the same person.

6. Based on the foregoing, there is probable cause to believe that JOSE MORENO-GONZALEZ aka Jose Antonio Moreno, is in violation of Title 8, United States Code, Section 1326, Alien Found in the United States Following Deportation.



Keith C. Ryan
Special Agent - INS

Subscribed and sworn to before me
on this 2d day of June, 1998.



UNITED STATES MAGISTRATE JUDGE